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REMARKS

In the Office action, claim 33 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for insufficient antecedent basis; claims 31-33 were rejected as anticipated by Lader '313 or Talacko; and claim 34 was rejected under 35 U.S.C. §103 as being unpatentable over Lader or Talacko in view of any one of five additional references.

Claim 33 has been amended as suggested by the Examiner to provide antecedent basis for "the spray nozzle." It is respectfully submitted that the amended claims fully comply with 35 U.S.C. §112, second paragraph. Favorable reconsideration is requested.

Claim 31 is amended to recite that the charging polarity for both the electrode and the tribocharging material is a negative polarity. Accordingly claim 32 is canceled. Lader '313 teaches use of corona discharge of a polarity that is opposite the tribocharging polarity (see col. 5, lines 32-34.) This is because the corona effect is used to pre-treat or condition the tribocharging surfaces to neutralize charge build-up on the tribocharging surface. Lader also specifically states that the corona field is not used to charge the powder (col. 6, lines 19-21.) Therefore, Lader '313 cannot anticipate nor render obvious any of claims 31-34 which utilize same polarity charging (including original claim 31.) Also, as noted in the Office action, Lader does not disclose any of the claimed materials of claim 34.

Talacko, it is believed, also does not disclose any materials used for the tribocharging, and most notably also fails to teach what polarities are being used for the tribocharging and the electrode charging. There is no basis to conclude, especially with a wholesale lack of teaching of materials, that Talacko either alone or in combination with any reference of record suggests a spray gun that tribocharges and electrode charges to a negative polarity.

As to claim 34, Applicants respectfully traverse the rejection, but will defer detailed comment pending further examination of the independent claim. However, Applicants wish to point out that the passage in Lader cited in the Office action is directed to PTFE and nylon, which are common materials with well-known tribocharging properties. Such a description of well-known properties of two specific common materials cannot render the use of a multitude of materials that

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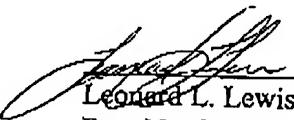
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can be applied electrostatically (such as by corona charging), especially that are commonly used in mixtures, obvious for use as tribocharging surfaces. Moreover, Applicants disclose that the selected materials recited in claim 34 also exhibit excellent impact fusion characteristics. Since Talacko does not appear to disclose materials, it is not understood how Talacko can form the basis (with the other cited references) for an obviousness rejection of claim 34.

It is respectfully submitted that the application is in proper condition for allowance and that the pending claims are patentable over the art of record.

Respectfully submitted,

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